



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yasuhiro UEKI

Serial No. 10/785,179

Filed: February 25, 2004

For: METHOD AND APPARATUS
FOR RECORDING AND
REPRODUCING INFORMATION
ON AND FROM OPTICAL DISC

Art Unit: 2655

Examiner: Edun, Mohammad N.

Atty Docket: 0102/0247

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto is a Terminal Disclaimer in connection with the above-identified application.

The Commissioner is hereby authorized to debit the amount of \$130.00 fee for this Terminal Disclaimer from Deposit Account No. 50-0501. The Commissioner is further authorized to credit any overpayment to the same account. A duplicate copy of this authorization is also attached hereto.

Respectfully submitted,

Louis Woo, Reg. No. 31,730
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Date: Nov 9 2005



TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT

Docket Number: 0102/0247

Customer No. 021395

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For: METHOD AND APPARATUS FOR RECORDING AND REPRODUCING INFORMATION ON AND
FROM OPTICAL DISC

The owner, Victor Company of Japan, Ltd., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer, of prior Patent No. 6,768,871. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

Check either box 1 or 2 below, if appropriate.


1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, Government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

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Signature

Nov 9 2005
Date

Louis Woo
Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

* Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.